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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,609	09/28/2004	Jitendra K. Bhalgat	03292.102040	5608
66569 7590 02/22/2008 FITZPATRICK CELLA (AMEX) 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER TIEU, BINH KIEN	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 02/22/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/711,609

Applicant(s)

BHALGAT ET AL.

Examiner

/BINH K. TIEU/

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/28/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-7, 9 and 11-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Pintsov (Pub. No.: US 2003/0036918).

Regarding claim 1, Pintsov teaches a computer-implemented method to facilitate auditing of data in a database:

entering first data into a first database (i.e., entering rates plan file into a customer's personal computer 20, as shown in figure 1, note Paragraph [0068]);

entering second data into at least one second database (i.e., similar rates plan file stored in an utility service provider subsystem 13); and,

comparing said first data and said second data (i.e., comparing accounting charge data elements stored in both computer 20 and subsystem 13) to determine if certain entries of data are substantially similar prior to an authorization for a transaction (note paragraph [0071] and [0072]).

Regarding claim 2, note the rates plan was entered and used for computing charges in paragraphs [0069] and [0077].

Regarding claim 3, note the central revenue accounting system (CRAS) keeps track of all customers' calls and maintains files of customer's charges in paragraph [0067].

Regarding claim 4, note the CRAS retrieving the accounting charge data elements from a customer invoice file generated by the utility service provider (the accounting charge data elements read on second data obtained from CRAS which read on second database), and comparing to ones of a billing file generated by the customer subsystem 12 in paragraph [0071].

Regarding claim 6, note paragraphs [0117] and [0118].

Regarding claim 7, note paragraph [0091].

Regarding claim 9, note paragraph [0078].

Regarding claim 11, Pintsov teaches a computer-implemented method to facilitate auditing of rate data in a database:

entering first rate data into a first database (i.e., entering rates plan file into a customer's personal computer 20, as shown in figure 1, note Paragraph [0068]);

entering second rate data into at least one second database (i.e., similar rates plan file stored in an utility service provider subsystem 13); and,

comparing said first rate data and said second rate data (i.e., comparing accounting charge data elements stored in both computer 20 and subsystem 13) to determine if certain entries of data are substantially similar (note paragraph [0071] and [0072]).

Regarding claim 12, note the central revenue accounting system (CRAS) keeps track of all customers' calls and maintains files of customer's charges in paragraph [0067].

Regarding claim 13, Pintsov teaches a system configured to facilitate auditing of data in a database:

a first database having first data (i.e., a customer's personal computer 20, as shown in figure 1 having rates plan file stored therein, note Paragraph [0068]);

at least one second database having second data (i.e., similar rates plan file stored in an utility service provider subsystem 13); and,

an RT server (CRAS) configured to compare said first data and said second data (i.e., comparing accounting charge data elements stored in both computer 20 and subsystem 13) to determine if certain entries of data are substantially similar prior to an authorization for a transaction (note paragraph [0071] and [0072]).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pintsov (Pub. No.: US 2003/0036918) in view of Seljeseth (Pub. No.: US 2004/0049446).

Regarding claim 5, Pintsov teaches all subject matter as claimed above, except for using SQL query. However, Seljeseth teaches such feature in paragraph [0282] for a purpose of requesting data from a remote data server.

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the use of the feature of using SQL query, as taught by Seljeseth, into view of Pintsov in order to acquire data from a remote database server.

Regarding claim 8, Seljeseth further teaches a seller (or a broker) can enter sale details of a car into a database see paragraph [0206].

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pintsov (Pub. No.: US 2003/0036918) in view of Foster (Pub. No.: US 2007/0043636).

regarding claim 10, Pintsov teaches all subject matter as claimed above, except for the feature of converting currency to a common currency type. However, Foster teaches such feature in paragraph [0034] for a purpose of providing service equivalent the amount of converted currency.

Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to incorporate the use of the feature of converting currency to a common currency type, as taught by Foster, into view of Pintsov in order to provide service equivalent the amount of converted currency.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL CUSTOMER SERVICE FOR THE SUBSTITUTIONS OR COPIES.**

Any response to this action should be mailed to:

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Or faxed to:

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/BINH K. TIEU/
Primary Examiner
Technology Division 2614

Date: February 2008